

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 337 of 2023.

DR. DEBESH NATH - VERSUS- THE STATE OF WEST BENGAL AND OTHERS.

Serial No. and  
Date of order

1  
19.5.2023

For the Applicant : Mr. G.P. Banerjee,  
Advocate.

For the State Respondents : Mr. S. Ghosh,  
Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt. – II) dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed today be kept on record.

The prayer in this application is for setting aside the impugned reasoned order dated 19<sup>th</sup> April, 2023 passed by the Director of Health Services, Department of Health & Family Welfare. It appears that the Tribunal in OA 139 of 2023 passed an order dated 23<sup>rd</sup> March, 2023 directing the Director of Health Services to consider the representation filed by the applicant for granting Trainee Reserve. In terms of such order, the respondent passed a reasoned order dated 19<sup>th</sup> April, 2023 rejecting the application for Trainee Reserve on the ground that a departmental proceeding is currently ongoing against the applicant.

Submission of Mr. G.P. Banerjee, learned counsel for the applicant is that no such departmental proceeding is ongoing against the applicant till date.

Mr. S. Ghosh, learned counsel for the State respondents submits that as stated in the reasoned order, steps have been taken to expedite the processing his

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THE STATE OF WEST BENGAL & ORS.

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vigilance file.

Heard the learned counsels for both the parties.

The matter is admitted.

Let the matter be listed on 12<sup>th</sup> June, 2023 under the heading “For Orders” with a direction to the respondent authority to file a status report on the “ongoing departmental proceeding against the applicant” on the next date.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A).

Skg.